



MICHAEL R. PENCE, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204

COMMISSION MEETING MINUTES

Indiana Fire Prevention and
Building Safety Commission
Government Center South
302 W. Washington Street
Indianapolis, Indiana 46204
Conference Center Room B

July 6, 2016

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Vice-Chairman Mitchell at 9:00 a.m. on July 6, 2016.

(a) Commissioners present at the Commission meeting:

Ron Brown
Gregory Furnish
Kevin Goeden, representing the Commissioner, Department of Labor
James Jordan
Matt Mitchell, Vice-Chairman
Patrick Richard
Jessica Scheurich
Todd Hite, representing the Commissioner, Department of Health
Craig Von Deylen

(b) Commissioners not present at the Commission meeting:

John Hawkins, Chairman
James Hoch

(c) The following departmental and support staff were present during the meeting:

Legal and Code Services

Dean Illingworth, State Building Law Compliance Officer
Denise Fitzpatrick, Code Specialist
Todd Stearns, Code Specialist
Beth Sutor, Secretary



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2. Old Business

Vice-Chairman Mitchell called for any corrections or a motion for approval of the June 7, 2016, minutes. Commissioner Scheurich moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

3. Variances

Tabled variances

A/B variances

16-05-03 3230 E. John Hinkle Place Unit B Windows, Bloomington - *incomplete*

The application was still incomplete. Commissioner Hite moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-06-05(a)(b)(c) Symonds Creek School, Cambridge City – *variance (b) withdrawn*

The application was no longer incomplete. Commissioner Von Deylen moved to approve (a) and (c), with the second by Commissioner Hite. It was voted upon and carried.

C/D/NVR variances

16-01-25 Approval of Existing Elevator, Terre Haute

The proponent was not present to provide answers to questions about the code which had been asked at a previous meeting. Commissioner Brown moved to deny due to the lack of substantive value of the application. Commissioner Von Deylen made the second. It was voted upon and carried.

16-03-63 Harold Gunn Pavilion, Boonville

No proponent was available for questions. Commissioner Brown moved to table, with the second by Commissioner Scheurich. It was voted upon and carried, with a request to notify the proponent that this would be the final notice of tabling.

16-04-04 Magdalene House Women's Shelter Remodel, Martinsville

The application had been withdrawn by Melissa Tupper, RTM Consultants.

16-05-02 Removable Staircase Plastic Chain, Peru - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Brown moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-05-06 South Deck Cover, Indianapolis - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

16-05-07 Regional Mental Health, Hammond - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Mitchell. It was voted upon and carried.

16-05-61(a)(b) The Barn at Helm Road, Williamsburg

The application was withdrawn by Melissa Tupper, RTM Consultants.

16-05-76(a)(b)(c)(d)(e)(f)(g) Emerald Acres Wedding Barn, Zionsville

It was requested that the variance be moved to a spot later on the agenda to allow for a late arrival.

16-06-01 Lincolnshire Place Memory Care Facility, Ft. Wayne

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-06-02 Options for Better Living Housing Options II, Bloomington – *incomplete*

Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-06-06 4461 Delaware Street Project, Indianapolis – *owner's signature*

The proponent was not available for questions. He had been in contact with staff, however, and advised them that he had the signature and would deliver it. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-06-07(a)(b)(c)(d)(e)(f) Wedding Chapel/Worship House, Mooresville

Ed Rensink, RTM Consultants, spoke as proponent. The three year old barn, built as an agricultural building, had been taken through the zoning process to allow the use of the facility as a wedding venue. It was filed with Plan Review at the request of the zoning board, and the variances were to clear up the issues raised. A structural engineer had done a more complete evaluation of the building and had submitted his review, and the fire access road issues had been addressed, and a sprinkler variance had been added to address the classification by Plan Review as an A-2. Commissioner Jordan questioned the pitch of the scissor truss system shown in the structural analysis print-out and a different pitch shown in the drawing, asking which is correct, and he also noted that the snow load, dismissed by the engineer as an issue since the building is not heated, may not be correct. Following discussion and the proponent's deferral to the engineer to provide technical answers, Commissioner Von Deylen moved to table all, with the second by Commissioner Jordan. It was voted upon and carried. Dean Illingworth, State Building Law Compliance Officer, also noted that the handrails on the restroom building did not comply with the accessibility code, and suggested the proponent check concerning proper handrails.

16-06-09 Johnny's Market, Indianapolis

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-06-39(a)(b) Building Remodel for Venturi, Goshen

The proponent had requested the application be tabled. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-06-68 Harlan Bakeries Fresh Pack Warehouse, Avon

Tim Callas, J&T Consulting, spoke as proponent. A variance had previously been granted to allow a 2-hour fire wall to not be structurally independent in a planned addition due to existing structural elements. The project had been delayed, the code changed, and this is the resubmission of that variance. The addition will be sprinklered with an NFPA 13 system, with close spaced sprinklers on both sides and down the full length of the fire wall. The existing building is not sprinklered. Following discussion, Commissioner Brown moved to approve with the condition that a 90 minute rated fire door be installed between the addition and the unsprinklered bagel area. Commissioner Von Deylen made the second. It was voted upon and carried.

16671 Geiger Tank, Markle – *incomplete*

Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16679 Entrance Chair Lift, Cambridge City – *incomplete*

Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-07-62 Delaware Christian Academy, Muncie

At the request of the proponent, Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

Regular Variance

A/B variances

Vice-Chairman Mitchell called for any variances in the block vote to be called out. There were none. He then asked for any abstentions. There were none. Commissioner Von Deylen then moved to approve all eligible "A" and "B" variances, with the second by Commissioner Scheurich. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 16-07-03 Hammond Fire Station #8, Hammond
- (2) 16-07-04 632 MLK Apartments, Indianapolis
- (3) 16-07-05 22nd & Delaware Apartments, Indianapolis
- (4) 16-07-06(a)(b) Eagledale Senior Living, Indianapolis
- (5) 16-07-07 Mortan Senior Living, Indianapolis
- (6) 16-07-08 Evansville Teachers Credit Union, Evansville
- (7) 16-07-09 Flying J #649 Rebuild, Indianapolis
- (8) 16-07-10(a)(b)(c)(d) Penrose On Mass, Indianapolis
- (9) 16-07-11 Jane Pauley Community Health Center, Indianapolis
- (10) 16-07-12 Emerson Hall Third Floor Renovation, Indianapolis
- (11) 16-07-13 White Oak Health Campus, Monticello
- (12) 16-07-14 Zero Degrees Tenant Finish, Bloomington
- (13) 16-07-15 Illinois Street Senior Apartments, Indianapolis
- (14) 16-07-16 Hammond Office Building, Hammond
- (15) 16-07-40(a)(b) Meridian Street United Methodist Church, Indianapolis
- (16) 16-07-41(a)(b) Holiday Inn Express Whitestown, Whitestown
- (17) 16-07-45(a)(b)(c) River North at Keystone Parking Garage, Indianapolis
- (18) 16-07-46 Anderson Health Pavilion, Anderson
- (19) 16-07-56 Chicago Pizza, Mooresville
- (20) 16-07-57 Jane Pauley Community Health, Anderson
- (21) 16-07-66 Flying J, Marion

16-05-76(a)(b)(c)(d)(e)(f)(g) Emerald Acres Wedding Barn, Zionsville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Josh Frost, Zionsville Fire Marshall, had arrived and the application was now to be heard. Structural engineer evaluations and recommendations had been passed out by the proponent. The owner of the property had agreed to carry out the foundation and column modifications recommended by the engineer to achieve the 100 pounds per square foot load. The owner wishes to use Chapter 34 (variance c), and to do so he will need to meet the 44" minimum

width required by current code. The request is to allow one stair to be brought up to a minimum width of 43" due to existing structure, and the other stair to measure 51", with the non-compliant stair being brought as close to code as possible. The owners also wished to have the occupant load, calculated to exceed 100 persons, posted at 100. The owners also agreed to not use the basement, originally used for milk cows. The portable restrooms will be, per Zionsville's ordinance restrictions, a temporary facility, which will be allowed for a year. They will use that year to do soil testing, etc., needed to provide a septic system and permanent fixtures. Josh Frost, Zionsville Fire Marshal, advised the Commission that the owner had agreed to increase the fire department access road width and turn-around size. The owners had improved the flooring, increasing the thickness from ¾" to 1 ½" tongue-and-groove. The existing wiring will be brought up to comply with code. The last three variances had been presented as paper applications per a request by the fire department, and were not given a staff review. All three dealt with stair issues which included handrails, rise and run, and width issues. Following discussion, variance (c), the request to use Chapter 34, was addressed. Conditions suggested for variance (c) included separating out the basement, bringing wiring into code compliance, correcting fire department access, limiting occupants to 100, providing restrooms, complete the modifications listed on the structural report. Further discussion was held, and Commissioner Brown moved to table, citing serious concerns regarding exiting and the possibility of an exterior stair, and needing a statement from the structural engineer on whether he thought the building sound for the intended use. Commissioner Von Deylen made the second. It was voted upon and carried.

C/D/NVR variances

16-07-01 Chairlift Installation, Newtown – *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Richard. It was voted upon and carried.

16-07-02 Alexander Maverick Windows, Bloomington – *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

16-07-17 Inventure Foods MOK 300 Continuous Fryer LPCO, Bluffton

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow a low pressure carbon dioxide extinguishing system for the continuous fryers and the steam exhaust hood filter plenum and ducts used in the processing of sliced potatoes. The system will be designed per NFPA 12, 2015 Edition, though it's not listed specifically for this use. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Furnish. It was voted upon and carried.

16-07-18 WSPG Office Remodel, Bloomington

Derek Holman, RTM Consultants, spoke as proponent. The existing building had been constructed with one exit from the second floor, and the request was to omit the second required exit from the second floor office space. Smoke detection will be provided throughout, and the building is sprinklered. Following

discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-19 Forte 1202 South Shelby Street, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit the 2-way communication system at the elevator landing on each accessible floor above the story of exit discharge or within stair enclosures as required by code. Margie Bovard, Indianapolis Fire Department, addressed the Commission, stating that they wanted the 2-way communication system to be provided. Following discussion, Commissioner Richard moved to approve, with the second by Commissioner Hite. It was voted upon and carried with one nay. Commissioner Von Deylen abstained.

16-07-20 Lewis Bakeries Addition, Evansville

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow an addition of 2, 043 square feet to be added to a Type IIIB construction building of 117, 602 square feet, thereby exceeding allowable area for construction type. The existing building is sprinklered, and the addition will be of non-combustible construction. The addition will allow air compressor equipment to be housed in a dedicated room. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-21 Southeastern Church of Christ Addition-Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The project is a repair and retrofit of existing 1979 exterior elements and an update /renovation of the front lobby with a glass storefront wall. The addition will be of noncombustible construction, including a noncombustible stair to replace the existing wood stair. It does not add occupant load or fire load to the existing building, nor reduce the level of safety. Following discussion, Commissioner Scheurich moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried with one nay.

16-07-22 Brookville Road Storage, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Code requires all sides of the building to be within 400 feet of a fire hydrant. The request is to allow the two new buildings to be 970 feet from the existing fire hydrant. There are also two more buildings planned. The buildings are self-storage units of Type IIB Construction. The proponent noted that the responding fire department, Station 42, has a tanker truck and carries 1,000 feet of 5 inch hose. At previous meetings, it had noted there is no guarantee the tanker would be available to respond to this location. When asked about the cost to put in the hydrant, the proponent stated she did have that information, but she would need to look it up. Margie Bovard, Indianapolis Fire Department, addressed the Commission, stating the Department wished to have a hydrant installed. She stated the plans for this project had been on hold since May of last year due to the hydrant issue, as well as site plans for fire access turning radius information. She stated they were aware of the costs to provide the hydrant before they began construction. Commissioner Brown moved to table until break so that she could provide the information. Commissioner Von Deylen made the second.

16-07-23 St. Luke Child Care, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to be allowed to use Chapter 34 to convert a single family dwelling, purchased by the church on a neighboring property, to an unlicensed registered child care ministry. Kevin Troy, Fire and Building Code Enforcement, advised the Commission that a child care ministry, in a house instead of a church, would be inspected to the Residential Code. The building could be left as a Class II structure and no Chapter 34 would be required. The proponent then withdrew the variance.

16-07-24 Deaconess Parking Garage, Newburgh

Roger Lehman, RLehman Consulting, spoke as proponent. The request was to allow the open parking garage with unlimited access to not provide a turn-around for fire apparatus and 20 foot wide access roads. The fire department, hospital, and designers have been working together, with the requests of the fire department agreed to. In the letter of support, the fire department had noted they would back up and not use a turn-around in this open facility, and the side roads would be widened to facilitate staging for the equipment. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

16-07-25(a)(b) Tom Wood Volkswagen at The Crossing, Noblesville

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to omit the sprinklers in the vestibule area. With the glass curtain design, there is no way to install the sprinkler feed line. The remainder of the building is sprinklered. A request in variance (b) was to omit sprinklers under the open monumental stair, the reason being there was no way to install the feed line. Darryl Cross, Noblesville Fire Department, advised the Commission that there were three exits from the second floor. Following discussion, Commissioner Brown moved to approve both, with the second by Commissioner Furnish. It was voted upon and carried.

16-07-26 McCurdy Apartments, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. Greg Main, Chief Fire Marshal of Evansville Fire Department, also addressed the Commission. During the renovation of the unoccupied building, a woodworking area had been established for the production of kitchen cabinets for the apartments. The state and local Fire Marshals are requiring either sprinkler protection or a firewatch during this use of the lobby. A dry standpipe has been installed in an adjacent stair well for fire department use. Following a lengthy discussion, Commissioner Von Deylen moved to approve a temporary change of occupancy with a firewatch in place during woodworking operations until September 1, 2016. Commissioner Richard made the second. It was voted upon and carried.

Breaking and reconvening. Vice-Chairman Mitchell recessed the Commission at 10:49 a.m. It was called back to order at 11:00 a.m.

Discussion of Elevator Code Adoption
Update on New Elevator Mechanics Test

Dean Illingworth, State Building Law Compliance Officer, presented information on the Elevator Mechanics test. A party had asked for a third test to be made available, other than the NEIEP test and the CET test, and the Fire Prevention and Building Safety Commission had instructed Tom Hendricks at the May 6th meeting to develop for possible approval. Mr. Hendricks and some of his staff had worked on a third test, and, after it inadvertently was posted on the website, it was decided to form a committee made up of two union members, two non-union members, and two staff members, to make sure the NEIEP test was equal to the CET test in the amount of work you've been doing, what amount of education was needed, and that the test was an equal representation of both. And, if there is going to be a third test, that it is equal as well. If a third test is developed or not, a report to the Commission will be made since statute says the Commission must approve the tests developed.

Bart Geisler, a lobbyist with the Elevator Industry Work Preservation Fund, who had met with Fire Marshal Greeson and others regarding the Elevator tests, had expressed their concerns. Many of the concerns began with the intent of the legislation that was passed back in 2002. At that time, only the union NEIEP program was approved, and non-union CET was still being developed. A packet of information on the CET test, the non-union program, had been distributed to the Commissioners and staff. He explained the appeals process for the tests, how tests were handled, how they were proctored, and re-taking the test if failed. He felt the third test was not a union vs. non-union issue, but that it was to make sure the mechanics were properly trained. The number of questions on both the NEI and the CET as compared to the proposed third test were discussed, as well as if it were to be open book, proctored, and the number of areas of knowledge and experience covered.

During the questions and answers period, Commissioner Richard asked about the membership make-up of the committee. Mr. Illingworth noted that the union members would choose their representative, non-union representative would be invited by Mr. Hendricks, two staff members would be provided. Mr. Mike Corey of ThyssenKrupp and a previous Commission member, and a Purdue University employee who provides training for the state inspectors, had also been proposed. Commissioner Brown asked about a timetable for completing the work, and was told by Mr. Illingworth that he hoped it would be completed in six weeks. Commissioner Brown also asked about reciprocity with Kentucky, and was told that that was something that would have to work through.

16-07-27 Margaret Mary Health Osgood Urgent Care, Osgood

Ed Rensink, RTM Consultants, spoke as proponent. An addition of an Urgent Care clinic to an existing Primary Care clinic, Type VB construction, is being made. The request is to omit the fire-rating for the corridors in the addition. The building will have a manual fire alarm system, corridor smoke detection, and a maximum travel distance of 85 feet. Spaces typically open to the corridor in outpatient medical clinics make compliance difficult. The building is not sprinklered. Following discussion, Commissioner Bon Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried with one nay.

16-07-28 Posey County Jail Addition and Renovation, Mt. Vernon

Ed Rensink, RTM Consultants, spoke as proponent. The request is to allow five operable panels in the smoke barrier walls on the second level of the Control Room overlooking the individual jail pods. The sliding panels have brush seals which will maintain a smoke-tight condition when closed, but allow officers in the control room the ability to intervene in the one of the cell pods if needed without going into the pod. Sprinklers will be on each side of the wall of security glazing, and throughout the building. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-07-29 Lafayette Sunnyside Intermediate School Renovation, Lafayette

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow two exterior doors from two special education classrooms in an existing, sprinklered middle school to be fitted with delayed egress devices. The exit into the corridor is not restricted, and the delay devices will fail open at alarm or loss of power. Following discussion, Commissioner Hite moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-07-30(a)(b) 20151459 Dental School Addition, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (b) was a request to omit the required 2-hour separation at each end of the connectors. The connectors will be separated 2-hour construction and a 90-minute rated door with an automatic closing. The addition and connectors are sprinklered throughout. Following discussion, Commissioner von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Variance (a) was to allow a small seating area within the first floor of pedestrian walkway. Sprinklers will be increased from Light Hazard to Ordinary Hazard Group 1 due to the space's minimal furnishings. The connector, with a calculated occupant load of 25, has an exit to the exterior. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-07-31 NexGen Whitestown Phase II, Whitestown

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow the living, dining and residential kitchen in each of the four twelve-bed buildings to be open to the non-rated corridors. The buildings are sprinklered, will comply with NFPA 101, and are arranged to allow direct supervision by nursing staff. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-07-32 Red's Place, Bargersville

Melissa Tupper, RTM Consultants, spoke as proponent. The request is to allow a new exterior door, in the north wall, to access an exterior deck which will be built on land owned by the Umbarger family business.

The owner of Red's Place will lease the strip of land upon which the deck will be built from his brother, with option to purchase. The door will be filled in if the building owner sells the building without having purchased the land. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-33 College Park Plaza 1st Floor Exit Passageway, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The building is a five-story office building built in 1998. A replacement exit passageway for the first floor will not comply with the required 2-hour floor assembly, duct or utility penetrations and rated entry and sidelights. Two-hour walls forming the exit passageway will go to the metal decking of the second floor and be topped with concrete. Fire dampers and firestopping will be installed, and close-spaced sprinklers at ceiling level of each side of the non-rated tenant entry door and sidelights will be provided. All other doors will be 90-minute, and the building is sprinklered. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

16-07-34 Spot Freight Office Renovation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. This project is an office build-out on the second floor of an existing six-story building. The request is to allow an A-2 occupancy, a night club, to be converted into a B occupancy, shipping office, and be viewed as an alteration instead of a change of occupancy and not comply with either the rules for new construction or the requirements of Chapter 34. The proponent states it will be reverting to its original use as a building in the wholesale district until 1999 when Jillian's was opened. Jillian's had been granted a variance in 1999 to allow the project to be an alteration and not a change of occupancy. The nightclub closed in 2011, and the floor was vacant for 4 years. The building is protected throughout with an NFPA 13 system, and fire alarm system. There are two enclosed exit stairs, and the rest rooms comply with 1999-era accessibility requirements. The City of Indianapolis had called out the change of use during their review. The proponent stated they would not be able to pass a Chapter 34 evaluation, and the cost to comply with current rules would be prohibitive. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-07-42(a)(b) USI Griffin Center Balcony Exiting, Evansville

Roger Lehman, RLehman Consulting, spoke as proponent. A balcony used as a break area for the conference center, with a calculated occupant load of 60, is used only under conditions controlled by USI. Variance (a) is a request to allow the doors to not have panic hardware on the balcony side of the doors. The doors will be locked only at night, or, if locked during the day, due to no activities in the building or during a lock-down for student safety issues. An intercom system connected directly to Campus Security dispatch is provided. Variance (b) was to allow the doors to not swing in the direction of travel. Following a lengthy discussion, Commissioner Von Deylen moved to approve with the condition that the doors swing in the direction of travel with a key lock on the inside of the door. Commissioner Richard made the second. It was voted upon and carried.

16-07-35 Indy Collegiate, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow electrical outlets to be located in the window mullion just above the floor line in twenty apartment units. Code requires outlets to be fifteen inches above the floor, or it must be a floor receptacle. The units will have “storefront” glazing systems, and will have two receptacles affected. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Commissioner Richard abstained.

16-07-36 Apperson Way Townhomes, Kokomo

Ed Rensink, RTM Consultants, spoke as proponent. The request was to be allowed to provide a 1-hour fire partition and an NFPA 13D 2002 edition system in each townhouse, in lieu of the two 1-hour walls or a common 2-hour demising wall to separate the units. Following discussion, Commissioner Brown moved to approve with the condition that the NFPA 13-D 2010 edition be used, excluding the required individual shut-offs for each unit. Commissioner Von Deylen made the second. It was voted upon and carried.

16-07-37 Bella Vista Apartments Phase 2b Buildings, Fishers

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the 1-hour fire barrier walls separating the residential units from the garages to extend to the ceiling membrane of the 1-hour floor/ceiling assembly over the garage. Code requires they extend entirely through the floor cavity to the floor deck above. Floor/ceiling cavities between units will be provided with a draft stop in the sprinklered building. An identical variance had been granted for the first phase of this project. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

Breaking and reconvening. Vice-Chairman Mitchell recessed the Commission at 12:04 p.m. It was called back to order at 1:04 p.m.

16-07-38 Homestead High School Classroom Occupancy, Ft. Wayne

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Due to the change in curriculum offered by the school, some of the Science classrooms, with occupancy calculated at 50 square feet per student, are being changed to a standard use, with occupancy calculated at 20 square feet per student. The new occupancy load would require two exits for each of the five rooms at a cost of \$125,000 - \$150,000, and the construction, which would affect the first floor classrooms as well, would not be done before school starts for the 2016-2017 school year. The request is to allow the occupancy of the changed rooms to be no more than 36 students, a figure based on the school's average of 28 students per classroom for the last five years in the sprinklered facility. Following discussion, Commissioner Furnish moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-07-39 Sheridan Avenue Use Change, Sheridan

John VanWicklin, Normal Life of Indiana, spoke as proponent. The facility had been a long term care facility for patients with intellectual and developmental disabilities, and was changed to office space. The sprinkler system was not operable, and the request was to no longer maintain the sprinkler system, but abandon it in place should it be needed in the future. Following discussion of the difficulties of systems abandoned in place, Commissioner Von Deylen moved to approve with the condition that sprinkler heads and visible piping are to be removed, and signs notifying the fire department that the system is inoperable be placed on risers. Commissioner Scheurich made the second. It was voted upon and carried with one nay.

16-07-43 Changing Pole Barn to Class 1 Structure, New Albany

Larry Brown, trustee, spoke as proponent. A pole barn had been constructed on the property with storage and a workshop on the first level and a residential unit on the second. The proponent had been told by the local building official, Dave Brewer, the building needed to be reclassified so that the interested buyer could rent the apartment unit while she used the storage area below. Kevin Troy, Fire and Building Code Enforcement, also addressed the Commission. He noted that the gentleman had applied for a Rule 13 conversion, and needed the variance to continue. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried, with one nay.

16-07-44 CBRE New Cabinstall 12 Units, Indianapolis

Denise Fitzpatrick advised the members of the Commission that she had spoken with the Director of the Elevator Division and he did not oppose the variance as long as the complied with the glass requirements in the Elevator Code. Commissioner Scheurich moved to approve with the condition that the proponent comply with Section 2.14.1.8.2 of the Elevator Code. Commissioner Richard made the second. It was voted upon and carried.

16-07-47(a)(b) Bridges Academy Classroom Addition, Greenwood

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A school with an alternative educational program for students with behavioral challenges. In variance (a), they wish to have delayed egress devices of thirty seconds on the corridor serving their doors. The building will be sprinklered throughout with an NFPA 13 system. The doors must be relocked manually. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Variance (b) was to allow time-out rooms which are "locked" as long as the teacher holds a button down. There will be two video cameras per room to monitor both the inside and outside of the time-out room. Following discussion,

Commissioner Von Deylen moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

16-07-48 Removal of Fire Hose, Indianapolis

It had been placed in a C category because the application acknowledgement did not include the statement that their own hoses would be used. Margie Bovard, Indianapolis Fire Department, advised the Commission that the Rolls-Royce facility was in the Wayne Township Fire Department jurisdiction. Commissioner Von Deylen then moved to approve, with the condition that the Wayne Township Fire Department provided a statement within two weeks that they would use their own hoses. Commissioner Scheurich made the second. It was voted upon and carried.

16-07-49 CBRE NewCabInstall 12 Units, Indianapolis

16-07-50 CBRE NewInstall 25 Units, Indianapolis

Denise Fitzpatrick advised the Commission that the Director of the Elevator Division did not oppose the variances as long as the person doing the installation and maintenance was a licensed elevator mechanic. Commissioner Von Deylen moved to approve with the condition that the person doing the installation and maintenance is a licensed elevator mechanic. Commissioner Jordan made the second. It was voted upon and carried.

16-07-51(a)(b) Addition and Renovation to Center Grove High School, Greenwood

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in variance (a) was to allow a 300 foot travel distance for a second level jogging track. The building is sprinklered with an NFPA 13 system, as will be the addition. The track, open to the floor below, is 18 to 28 feet from the roof deck. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was to allow the unlimited area addition to be within 45 feet of an open air football grandstand press box of noncombustible construction. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-52(a)(b)(c)(d)(e)(f)(g)(h)(i) Block 20, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A new, mixed-use facility will have a restaurant and retail on the first floor, residential units and a parking structure. Variance (a) was a request to allow the trash chute termination room to be 1-hour construction. It had been given an "A" recommendation by staff. Commissioner Jordan moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (b) was a request to allow Type IA construction on the first story and Type VA for the second through fifth story

apartments to be protected by an NFPA 13R system. Code doesn't allow NFPA 13R systems in buildings over four stories or 60 feet. Margie Bovard, Indianapolis Fire Department, addressed the Commission, stating she opposed the variance. Following discussion, Commissioner Von Deylen moved to approve with the condition that the apartments within the podium shall be protected with a full NFPA 13 sprinkler system. Commissioner Brown made the second. It was voted upon and carried. Variance (c) was a request to allow the fire wall which separates the parking garage to not be structurally independent. The garage will be sprinklered with an NFPA 13 system, and the apartments will be protected with an NFPA 13R system. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (d) was a request to allow kitchen return-air intake to be within five feet of the oven/range. Code requires ten feet and to serve the kitchen only. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (e) was a request to not separate the fire pump room by 2-hour fire-rated construction. The fire pump will be located in a room with domestic water service. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (f) was to omit the elevator lobby two-way communications system. Margie Bovard, Indianapolis Fire Department, opposed the variance. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (g) was to delete standby power for the elevator. A connection for a generator will be provided. Margie Bovard, Indianapolis Fire Department, opposed the variance. Following discussion, Commissioner Von Deylen moved to table, with the second by Commissioner Hite. It was voted upon and carried. Variance (h) was to allow the garage to have unprotected openings at the termination. Following discussion, Commissioner Von Deylen moved to deny, with the second by Commissioner Brown. It was voted upon and carried. Variance (i) was to omit outlets on the balconies. Following discussion, Commissioner von Deylen moved to deny, with the second by Commissioner Furnish. It was voted upon and carried.

16-07-53(a)(b)(c)(d) Riverview Health Westfield Outpatient Care Center, Westfield

Ed Rensink, RTM Consultants, spoke as proponent. In variance (a) the request was to omit the elevator lobbies vestibules. Following discussion, Commissioner Brown moved to approve with no I-2 occupancies above the third floor. Commissioner Von Deylen made the second. It was voted upon and carried. Variance (b) was to allow the building to be within fifteen feet of the property line. The owner is currently trying to purchase the adjoining property from INDOT. It is not suitable for development. Following discussion, Commissioner von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (c) was withdrawn. Variance (d) was to allow freestanding canopies of Type II-B construction and the hospital of Type I-B construction to not have a fire wall separating the two different types. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

Breaking and reconvening. Chairman Hawkins recessed the Commission at 2:28 p.m. It was called back to order at 2:35 p.m.

16-07-54(a)(b) The Escape Room Fishers, Fishers

Dennis Bradshaw, FP&C Consultants, spoke as proponents. Also present was Scott Neal, owner. The facility is on the second and third floor of a new building. All doors will be code-compliant. The request was to allow an enclosed mezzanine, consisting of two rooms, to have one stair to the floor below and. The building is sprinklered with an NFPA 13 system, an emergency voice/alarm system, and smoke detection. The participants are under video monitoring during their event, with staff located outside of each suite to assist occupants in an emergency. Participants are also on a staggered start schedule to avoid both of the rooms having all twelve occupants in each at the same time. Variance (b) had been eligible for the block vote. The Fishers Fire Department, following inspections, had no issues with the variances. Commissioner Von Deylen moved to approve (b), with the second by Commissioner Furnish. It was voted upon and carried. Commissioner Von Deylen then moved to approve (a), with the second by Commissioner Scheurich. It was voted upon and carried.

16-07-55 Geist Elementary School, Fishers

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A modular classroom, expected to remain in place for two years, was to be located within the unlimited area building's open yard space, coming to within 26 feet on one side to meet the State Board of Health requirement of a 200 foot distance to a restroom. The existing building is sprinklered with an NFPA 13 system. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-58 14980 Allisonville Road Apartments, Noblesville

Ed Rensink, RTM Consultants, spoke as proponent. Existing bedroom windows, non-operable per the proponent, had been replaced with non-operable windows during a renovation. The code at the time of construction in 1958 did not require emergency escape and rescue windows. Following discussion of code requirements for operable windows and a statement by Darryl Cross, Noblesville Fire Department, stating that five or six windows involved were operable, Commissioner Furnish moved to deny, with the second by Commissioner Richard. It was voted upon and carried.

16-07-59 Hamilton Southeastern Junior High School, Fishers

16-07-60 Brooks School Elementary, Fishers

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in each of the variance applications listed above was to allow a modular classroom to be placed within the required 60 foot open yard required for unlimited area. Both buildings are fully sprinklered. Following discussion, Commissioner Brown moved to approve both applications, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-61 Memorial Children's Hospital of South Bend, South Bend

Dennis Bradshaw, FP&C Consultants, spoke as proponent. The request was to allow a portion of a non-rated, sloped exposed steel roof structure to be less than twenty feet above a multipurpose room's overlook area. The building will be protected by an NFPA 13 system, with Ordinary 1 density and spacing beneath the overlook area. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

16-07-62 Delaware Christian Academy, Muncie

No proponent was available for questions. Commissioner Von Deylen moved to table, with the second by Commissioner Furnish. It was voted upon and carried.

16-07-63 NASCAR Carwash, Indianapolis

Nancy Long, A-1 Expeditors, Inc., spoke as proponent. Also present was Tamara Arthur, owner, and Richard Ripper, CPM project manager. The facility, a modular building certified by the state, had been inspected and found to have vending machines which were not at a height compliant with ADA requirements. The machines are imbedded in the walls of the facility, and to change their positions would require extensive, expensive restructuring. An attendant, available until 10 pm Monday through Saturday and 9pm on Sunday, was to assist anyone with accessibility needs, though the self-service bays were open 24 hours. Noting that the facility had not been designed according to the Indiana Accessibility Code requirements, it was suggested that the architectural firm be contacted to rectify the errors. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-64 One World Commissary, Bloomington

Carrie Ballinger, RTM Consultants, spoke as proponent. A kitchen hood had been installed for a food catering and production company with a non-compliant slope on the grease duct. The duct run is approximately 40 feet, and there is no ceiling beneath the ductwork. The building is fully sprinklered, and cleanouts are spaced at every 20 feet as required per code. Jim Gerstbauer, Monroe County Building Department, spoke, voicing concerns that the installer said he was not required to follow slope and cleanouts requirements, and that he had been doing installations for years. The proponent was also asked why the slope had not been corrected, especially since there was no ceiling. Following discussions, Commissioner Richard moved to deny, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-65 Cole Academy Morrison, Muncie

No proponent was available for questions. Commissioner Richard moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-67 Good Ray, West Lafayette

The application had been withdrawn by the proponent.

16-07-68 1100 Barker, Michigan City

A request to table had been submitted by the local fire official due to concerns he had with the application. Commissioner Scheurich moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

7. Discussion and Commission action on Petition for Review

Tippecanoe Lake Country Club
Order – Fire and Building Code Enforcement

Major Hospital
Order – Fire and Building Code Enforcement

Indiana Grand Stables
Order – Fire and Building Code Enforcement

Commissioner Richard moved to grant, with the second by Commissioner Jordan. It was voted upon and carried.

Vincennes University Mock Mining Facility, Ft. Branch
Condition of Variance 16-06-60 – *not timely filed*

Commissioner Scheurich moved to deny, with the second by Commissioner Von Deylen. It was voted upon and carried.

8. Discussion and Possible Commission Action

Cambria Suites Hotel
Administrative Cause No. DHS-1603-FPBSC-003
Non-Final Order of Dismissal

Commissioner Von Deylen moved to affirm, with the second by Commissioner Hite. It was voted upon and carried.

9. City of Huntingburg Code Ordinance No. 2016-17

Ben Miller, Morley and Associates, presented the ordinance for approval. When Vice-Chairman Mitchell noted that the ordinance did not follow the structure of the template, Mr. Miller explained that the attorney had written the ordinance to follow the structure of existing city ordinance, but that it did meet the five provision of Rule Ten of the GAR. Mr. Miller emphasized that the language was exactly the same, it was just not in template order. He also noted that a large project was nearing completion and needed their certificate of occupancy which the City of Huntingburg could not provide without the ordinance in place. Vice-Chairman Mitchell had sent for Deputy Attorney General Jim Schmidt to help guide the Commission, and the discussion was suspended until he could arrive.

10. Brownsburg Fireworks Ordinance

Steve Jones, Brownsburg Fire Marshal, spoke. He had not intended the ordinance to be placed on the agenda for approval, but had been looking for feedback. Does this, he asked, meet Commission approval for a fireworks ordinance, noting that nothing supersedes what State law allows. He had asked if a fireworks ordinance even needed Commission approval but had not been given an answer. He noted that he receives very little help on firework from the "local fire guys". He can't even get inspectors to go into retail establishments due to some legal ramification and the like. Vice-Chairman Mitchell suggested that the ordinance which had been put on the agenda be submitted for approval since it had been approved by the city council, and the approval process could start. He suggested it be tabled until August, and Commissioner Scheurich moved to table with the second by Commissioner Jordan. It was voted upon and carried.

11. Comments

Vice-Chairman Mitchell reported that the first meeting of the Fire Protection Ordinance template meeting had been held, and that the next meeting would be August 5, 2016.

12. City of Huntingburg Ordinance Discussion Continued

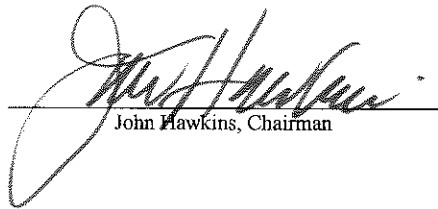
Commissioner Brown made a recommendation that perhaps they could grant a temporary approval of the ordinance until September 6, 2016 so that they could grant the certificate of occupancy, and return to the September meeting with an ordinance which follows the template order for approval. Mr. Miller said the council would have to have additional hearings if the ordinance were changed, again noting that the language was the same. Commissioner Von Deylen noted that if the attorney had followed the template, they would have had their ordinance approved at this meeting. Mr. Burgess, sent to speak to Mr. Schmidt, had been unable to locate him. Commissioner Brown then made a motion to grant a 60 day temporary approval, valid until

September 6, 2016, for the City of Huntingburg Ordinance, subject to review at the August or September meeting. Commissioner Von Deylen made the second. It was voted upon and carried.

13. Adjournment

Vice-Chairman Mitchell then closed the meeting at 4:12 p.m.

Approved: _____


John Hawkins, Chairman